

Settlers of Color and "Immigrant" Hegemony: "Locals" in Hawai'i

Haunani-Kay Trask

For a colonized people the most essential value, because the most concrete, is first and foremost the land: the land which will bring them bread and, above all, dignity.

Frantz Fanon¹

The world's indigenous peoples have fundamental human rights of a collective and individual nature. Indigenous peoples are not, and do not consider themselves, minorities. . . . Self-determination of peoples is a right of peoples. . . Under contemporary international law, minorities do not have this right.

Sharon Venne²

The indigenous Hawaiian people never directly relinquished their claims to their inherent sovereignty as a people or over their national lands to the United States, either through their monarchy or through a plebiscite or referendum.

U.S. Public Law 103-150

The "Apology Bill"³

As the indigenous people of Hawai'i, Hawaiians are Native to the Hawaiian Islands. We do not descend from the Americas or from Asia but from the great Pacific Ocean where our ancestors navigated to, and from, every archipelago. Genealogically, we say we are descendents of Papahānaumoku (Earth Mother) and Wākea (Sky Father) who created our beautiful islands. From this land came the *taro*, and from the *taro*, our Hawaiian people. The lesson of our origins is that we are genealogically related to Hawai'i, our islands,

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as family. We are obligated to care for our mother, from whom all bounty flows.

History and Settler Ideology

After nearly two thousand years of self-governance, we were colonized by Euro-American capitalists and missionaries in the eighteenth and nineteenth centuries. In 1893, the United States invaded our nation, overthrew our government, and secured an all-white planter oligarchy in place of our reigning *ali'i*, Queen Lili'uokalani.⁴ By resolution of the American Congress and against great Native opposition, Hawai'i was annexed in 1898. Dispossession of our government, our territory, and our legal citizenship made of us a colonized Native people.

Today, modern Hawai'i, like its colonial parent the United States, is a settler society. Our Native people and territories have been overrun by non-Natives, including Asians. Calling themselves "local," the children of Asian settlers greatly outnumber us. They claim Hawai'i as their own, denying indigenous history, their long collaboration in our continued dispossession, and the benefits therefrom.⁵

Part of this denial is the substitution of the term "local" for "immigrant," which is, itself, a particularly celebrated American gloss for "settler." As on the continent, so in our island home. Settlers and their children recast the American tale of nationhood: Hawai'i, like the continent, is naturalized as but another telling illustration of the uniqueness of America's "nation of immigrants." The ideology weaves a story of success: poor Japanese, Chinese, and Filipino settlers supplied the labor for wealthy, white sugar planters during the long period of the Territory (1900-1959). Exploitative plantation conditions thus underpin a master narrative of hard work and the endlessly celebrated triumph over anti-Asian racism. Settler children, ever industrious and deserving, obtain technical and liberal educations, thereby learning the political system through which they agitate for full voting rights as American citizens. Politically, the vehicle for Asian ascendancy is statehood. As a majority of voters at mid-century, the Japanese and other Asians moved into the middle class and eventually into seats of power in the legislature and the governor's house.⁶

For our Native people, Asian success proves to be but the latest elaboration of foreign hegemony. The history of our colonization becomes a twice-told tale, first of discovery and settlement by European and American businessmen and missionaries, then

of the plantation Japanese, Chinese, and eventually Filipino rise to dominance in the islands. Some Hawaiians, the best educated and articulate, benefit from the triumph of the Democratic Party over the *haole* Republican Party. But as a people, Hawaiians remain a politically subordinated group suffering all the legacies of conquest: landlessness, disastrous health, diaspora, institutionalization in the military and prisons, poor educational attainment, and confinement to the service sector of employment.⁷

While Asians, particularly the Japanese, come to dominate post-Statehood, Democratic Party politics, new racial tensions arise. The attainment of full American citizenship actually heightens prejudice against Natives. Because the ideology of the United States as a mosaic of races is reproduced in Hawai'i through the celebration of the fact that no single "immigrant group" constitutes a numerical majority, the post-statehood euphoria stigmatizes Hawaiians as a failed indigenous people whose conditions, including out-migration, actually worsen after statehood. Hawaiians are characterized as strangely unsuited, whether because of culture or genetics, to the game of assimilation.

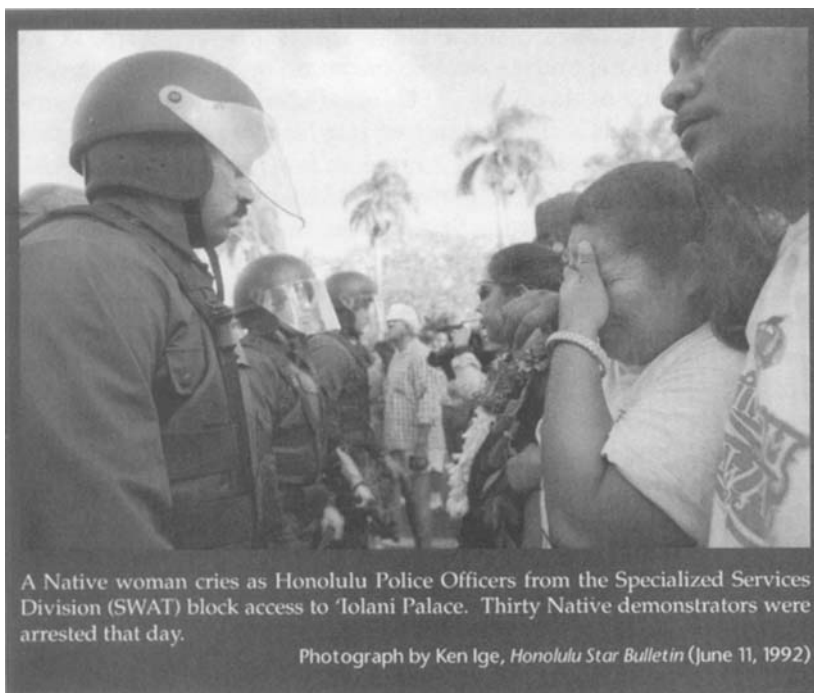
Of course, the specific unique claims of Native Hawaiians as indigenous peoples are denied through the prevailing ideology of "power sharing." Here, power sharing refers to the spoils of the electoral system which are shared, in succession, among "ethnic groups." Politically, "power sharing" serves to reinforce the colonial position that Hawaiians are just another competing "ethnic group" waiting their turn for political dominance. Disguising the colonial history and subordinated position of Natives, while equating Natives and non-Natives, the ideology tells a false tale of just desserts. Empirically, of course, subjugated peoples cannot willingly share anything. In the case of Hawaiians, we have nothing left to share. Our lands and resources, taken at the overthrow and transferred at annexation to the American government and later to the State of Hawai'i are, literally, not under our control. But the utility of the propaganda of "power sharing" is that it begs the question of *why* Natives should share power, while reinforcing the refrain that those in power have justly earned their dominant place. Given that Hawaiians are indigenous, that our government was overthrown, and that we are entitled, as a nation, to sovereignty, the argument that we should share power with non-Natives who benefit from the theft of our sovereignty is, simply, grotesque.

When the centenary of the American invasion of Hawai'i, overthrow of the Native government, and forcible annexation of

the archipelago are commemorated by thousands of protesting Natives in 1993 and 1998, anti-Hawaiian sentiment among growing numbers of Asians and *haole* is already a political reality. One recent example of this new form of prejudice is the assertion of a "local nation."⁸

Ideologically, the appearance of this "local nation" is a response to a twenty-year old sovereignty movement among Hawaiians. Organized Natives, led by a young, educated class attempting to develop progressive elements among Hawaiians, as well as to create mechanisms for self-government, are quickly perceived as a threat by many Asians uneasy about their obvious benefit from the dispossession and marginalization of Natives. Arguing that Asians, too, have a nation in Hawai'i, the "local" identity tag blurs the history of Hawai'i's only indigenous people while staking a settler claim. Any complicity in the subjugation of Hawaiians is denied by the assertion that Asians, too, comprise a "nation." They aren't complicit in maintaining institutional racism against Natives, nor do they continue to benefit from wholesale dispossession of Native lands and sovereignty. In truth, "local" ideology tells a familiar, and false, tale of success: Asians came as poor plantation workers and triumphed decades later as the new, democratically-elected ruling class. Not coincidentally, the responsibility for continued Hawaiian dispossession falls to imperialist *haole* and incapacitated Natives, that is, not to Asians. Thus do these settlers deny their ascendancy was made possible by the continued national oppression of Hawaiians, particularly the theft of our lands and the crushing of our independence.

This intra-settler competition between *haole* and Asians is a hallmark of colonial situations. Such contests serve, especially if severe, to mask even further the dispossession and marginalization of Natives. Asians—particularly the Japanese—like to harken back to the oppressions of the plantation era, although few Japanese in Hawai'i today actually worked on the plantations during the Territory (1900-1959). But at the threshold of a new century, it is the resilience of settler ideology which facilitates and justifies non-Native hegemony: "immigrants" who have struggled so hard and for so long *deserve* political and economic supremacy. By comparison, indigenous Hawaiians aren't in power because they haven't worked (or paid their dues) to achieve supremacy. In more obviously racist terms, Hawaiians deserve their fate. We suffer the same categorical character flaws as other Native peoples. To wit, we are steeped in nostalgia or cultural invention; we yearn for the past instead



of getting on with the present. Or we are, as a collective, culturally/psychologically incapable of learning how to bend our energies toward success in the modern world.

Against this kind of disparaging colonial ideology, Hawaiians have been asserting their claims as indigenous people to land, economic power and political sovereignty for at least the last twenty years. Hawaiian communities are seriously engaged in all manner of historical, cultural, and political education. *Hālau hula* (dance academies), language classes, and varied resistance organizations link cultural practice to the struggle for self-determination. In this way, cultural groups have become conduits for reconnection to the *lāhui*, or nation. Political education occurs as the groups participate in sovereignty marches, rallies, and political lobbying. The substance of the "nation" is made obvious when thousands of Hawaiians gather to protest the theft of their sovereignty. The power of such public rituals to de-colonize the mind can be seen in the rise of a new national identification among Hawaiians. After the 1993 sovereignty protests at the Palace of our chiefs, Hawaiians, especially the youth, began to discard national identity as Americans and reclaim indigenous identification as Natives.

Re-forming a *lāhui* that had allegedly disappeared in 1893 continues to serve the process of decolonization on at least two levels. The first is one of throwing off colonial identification as Americans. The second is understanding our Native nation as eligible in both international law and American law for inclusion in policies of Native sovereignty. Hawaiian resistance today is anchored in the increasing knowledge that Hawaiians once lived under their own national government as citizens of the Hawaiian rather than the American nation. Thus, the citizenship of our Native people and the territory of our nation, that is, the land base of our archipelago, are the contested ground. *The struggle is not for a personal or group identity but for land, government, and international status as a recognized nation.*

The distinction here between the personal and the national is critical. Hawaiians are not engaged in identity politics, any more than the Irish of Northern Ireland or the Palestinians of occupied Palestine are engaged in identity politics. Both the Irish and the Palestinians are subjugated national groups committed to a war of national liberation. Hawaiians, although not in the stage of combat, are nevertheless engaged in a kind of national liberation struggle. The terrain of battle now involves control of lands and natural resources, including water and subsurface minerals. Any negotiations over settlements other than land involves millions of dollars. By these actions is the *lāhui* seen to be, and experienced as, a palpable national entity.

If Hawaiians have a pre-contact, pre-invasion historical continuity on their aboriginal territories—that is, on the land that had been ours for two thousand years—“locals” do not. That is, “locals” have no indigenous land base, traditional language, culture, and history that is Native to Hawai‘i. Our indigenous origin enables us to define what and who is indigenous, and what and who is not indigenous. We know who the First Nations people are since we were, historically, the first people in the Hawaiian archipelago. Only Hawaiians are Native to Hawai‘i. Everyone else is a settler.

Local Asians also know, as we do, that they are not First Nations people. But ideologically, Asians cannot abide categorization with *haole*. Their subjugation at the hands of *haole* racism, their history of deprivation and suffering on the plantations, demand an identity other than settler. Faced with insurgent Hawaiians on the left, and indifferent or racist *haole* on the right, young Asians politicize the term “local.” Primarily a defense against

categorization with *haole*, especially *haole* from the American continent, "local" identification has been strengthened in response to "Native" insurgency. As the sovereignty front gains ground and as more Hawaiians assert an indigenous primacy, defensive Asians begin to concoct a fictitious socio-political entity based in Hawai'i. Hence the strangely disconnected idea called "local nation."⁹

The projection of a "local nation" as but the latest ideological evolution of "local" Asian identity is a telling illustration of how deeply the threat of Hawaiian nationalism has penetrated the fearful psychologies of non-Natives. Various ethnic groups in Hawai'i are fronting their "local" claims to residency and political ascendance in our aboriginal homeland precisely at the time when organized political power on the part of Natives is emerging. Challenging the settler ideology that "we are all immigrants," Native nationalism unsettles the accustomed familiarity with which *haole* and Asians enjoy their dominance in everyday Hawai'i. Behind their irritation, however, Asians sense a real political threat. They know the stakes in the various organized sovereignty initiatives are substantial.

The Japanese American Citizens League-Honolulu (JACL-Honolulu) is a recent example of how settlers front their alleged support of Hawaiian sovereignty (the JACL-Honolulu passed a lukewarm sovereignty resolution) while attacking Hawaiian leaders who represent the sovereignty movement.¹⁰ In fall of 1999, the local Honolulu dailies had a field day attacking Hawaiian sovereignty leader and Office of Hawaiian Affairs (OHA) Trustee, Mililani Trask, because she referred to Senator Daniel Inouye as the "one-armed bandit" in an OHA meeting. Trask explained the nickname was originally given to Inouye by his own Japanese army comrades in the second World War. (It was also the nickname commonly used for him by his good friend and former Hawai'i Governor, Jack Burns, among others.) The nickname referred to Inouye's admitted theft of jewelry from dead wartime noncombatants. The arm on which he wore the jewelry was later blown off, a fate his war buddies named "*bachi*," roughly translated as "bad karma," what we Hawaiians might call "*hoka*," or getting one's just desserts for a bad deed.¹¹

Release of Trask's use of the term was done by OHA trustees on the Inouye dole. These were the same trustees Trask had criticized for supporting Inouye's longstanding refusal to include Hawaiians in the Federal policy on recognized Native nations. The lo-

cal newspapers, particularly the right-wing, missionary-descended *Honolulu Advertiser*, ran a biased news story without comment from Trask and a racist cartoon with her cut-off right leg stuck in her mouth.¹²

Never mind, of course, that the “one-armed bandit” epithet was given to Inouye by his own comrades, nor that the substantive issue was Inouye’s twenty-five-year lock on all federal funding for Hawai‘i which, following Democratic Party procedure, has gone only to Inouye favorites, none of whom support Hawaiian control of Hawaiian lands and entitlements.

In the end, the issue of Inouye’s interference in the sovereignty process, including his massive funding to compliant Hawaiian friends, received little coverage in the press. Trask’s detailed reply to the *Advertiser* went unreported until Trask called her own press conference to release all information regarding Inouye’s control of the sovereignty process. The *Advertiser* then admitted they had received her reply via e-mail but claimed it “wasn’t retrieved” by press time. Trask finally paid to have the details of Inouye’s political interference printed in the OHA paper.¹³

The JACL-Honolulu, meanwhile, played their customary reactionary role, targeting Trask and successfully obscuring her analysis. In the public controversy which followed, the anti-Hawaiian politics of the JACL were never addressed. The JACL and its spokesperson Clayton Ikei published a letter in the *Hawai‘i Herald*, and copied it to other media, asking Trask to avoid “future resort to divisive racial and ethnic characterizations” of Inouye.¹⁴

Neither Ikei nor the membership of the JACL showed any interest in the substance of Trask’s criticism of Inouye, namely that he was interfering in a Native process. Following their usual practice, the JACL, like the Japanese membership of the Democratic Party, obscured the issue of their control over Hawai‘i politics and Native resources by vilifying a Native leader who criticized non-Native interference by Inouye and his friends.

Politically, the JACL, the Honolulu dailies, and Dan Inouye had once again teamed up to disparage and berate a Hawaiian leader. The JACL continued the familiar role of the Japanese in Hawai‘i by opposing Hawaiian control over Native lands, water, and political representation. Inouye’s twenty-year refusal to introduce Federal legislation recognizing Hawaiians as Native peoples eligible for inclusion in the Federal policy on recognized Native nations was never mentioned, let alone criticized by any of the involved parties in the controversy, including the JACL.

Clearly and swiftly, the JACL had acted to support the power of the Japanese-controlled Democratic Party while disparaging a Hawaiian leader who sought to analyze and expose that same control.

This collaborationist role of the JACL is in stark contrast to the critical support given to Trask and the sovereignty movement in general by a new group, Local Japanese Women for Justice (LJWJ), formed as a result of the Inouye-Trask controversy. Comprised entirely of local Japanese women led by Eiko Kosasa and Ida Yoshinaga, the group published a lengthy piece in the *Honolulu Advertiser* (and later in the Japanese newspaper, *Hawai'i Herald*) criticizing both the *Advertiser* and the JACL for attacking a sovereignty leader. The anti-sovereignty role of certain Japanese leaders in Hawai'i, like Inouye, was also analyzed, as was the role of the JACL in supporting Japanese internment during the second World War.¹⁵

The response of the JACL, written by Bill Hoshijo and David Forman, to their Japanese sisters was swift and nasty. They defended internment of their own people, while simultaneously arguing that the war years were a complex and difficult time for all. Refusing to acknowledge their collaborationist role in continuing Hawaiian subjugation, they also once again defended the record of Dan Inouye. True to form, the JACL failed to counter any of the substantive positions their Japanese sisters had argued.¹⁶

This critical exposure of the JACL frightened their supporters and other Japanese leaders, including one Eric Yamamoto, a professor at the University of Hawai'i Law School. For the past several years, Yamamoto has been busy publishing scholarly articles supporting "reconciliation" between Hawaiians and some of the Christian churches who benefited from missionization in Hawai'i, including theft of Native lands and complicity in the overthrow of the Hawaiian government.¹⁷ Yamamoto and JACL leaders, like David Forman, view the JACL as a friend to Hawaiians despite their attack on Trask and her supportive Japanese sisters in LJWJ.

Of course, as a law professor, Yamamoto knows full well that no amount of alleged "reconciliation" can equal the return of lands, money, and self-government to the Hawaiian people. Moreover, substantive "reconciliation" would mean Hawaiian control of the sovereignty process from beginning to end. Such Native control, however, is opposed by the JACL and their fellow non-Native travelers.

The role of groups such as the JACL, as well as other Asian supporters, like Yamamoto, has clearly been to organize Asians against a nationalist Hawaiian agenda while arguing that everyone in Hawai'i must participate in the sovereignty process.

Of course, the notion that settlers should participate in any form in the sovereignty process is ludicrous. In principle and in practice, Native sovereignty must be controlled by Natives. Just as Federally-recognized tribes on the American continent do not allow non-Natives to represent their peoples, so Hawaiians should not allow non-Natives to determine our strategies for achieving sovereignty. Simply put, "Native" sovereignty is impossible when non-Natives determine the process.

The current Task Forces appointed by Senator Daniel Akaka and charged with considering the relationship between Hawaiians and the State and Federal governments have sitting non-Native members, including David Forman and Eric Yamamoto. Because of non-Native participation, the principle and practice of Native self-determination is violated. As with the findings of past Task Forces and Commissions, nothing will be recommended which advances Native control over land and waters now enjoyed by the state and federal governments and non-Native citizens of Hawai'i.

There are other Asians, not on the Task Force, who have decided that the role of a "go-between" is essential to the relationship of Asians and Hawaiians. Predictably, this role highlights the activities of the self-styled and self-appointed mediator, rather than the sovereignty issue itself, as critical to any resolution of conflict. In practice, the "go-between" is a double agent. While professing private support to Hawaiians, such double agents actually lobby our few Asian allies to stay within the Japanese fold, that is, to refrain from publicly criticizing Asians who attack Hawaiian leaders.

Jill Nunokawa, civil rights counselor at the University of Hawai'i, is one among many young Asian professionals who, when asked, refused to lend public support to Local Japanese Women for Justice (LJWJ). According to Eiko Kosasa, co-chair of LJWJ, Nunokawa expressed the concern that a public defense of Mililani Trask was bad for the Japanese since Trask was not only criticizing Inouye but Japanese power in general, including their control of Hawaiian lands and entitlements. Nunokawa told Kosasa that Hawaiians were "going down the race road," and she did not wish to join them there. Tellingly, the Hawaiian sovereignty move-

ment—that is, justice in the form of self-determination—was represented by Nunokawa as the “race road.” Here, Native control of Hawaiian lands, waters, entitlements, and above all, representation at the national level is thus characterized as a “race” issue.

But the real “race” issue to those who control our lands is not the assertion of Hawaiian claims but the loss of Japanese control. In other words, the fear Nunokawa expressed is a pervasive fear Japanese feel about Hawaiian sovereignty since current Japanese control of Hawaiian lands and waters through their control of the State apparatus is directly challenged by Native sovereignty. The Japanese know that they have, as a group, benefited from the dispossession of Hawaiians. Justice for us would require, among other things, an end to Japanese Democratic Party control over Hawaiian lands and waters. Given that the Japanese as a political block have controlled Hawai‘i’s politics for years, it is obvious that substantive Hawaiian sovereignty requires that Japanese power brokers, specifically, Senator Dan Inouye, the JACL, and the rest of the Japanese-dominated Democratic Party, would no longer control Hawaiian assets, including land and political representation.

When movement Hawaiians remark that “Japanese can’t be trusted” in the struggle, they are thinking of false friends like Nunokawa, Yamamoto, and the JACL. No matter their much-touted support in resolutions, articles, and personal statements, these alleged Japanese supporters always come down on the side of the reigning Democratic party since they are direct beneficiaries of its continuing power. As history proves, power is never freely relinquished by those who wield it.

The women in LJWJ, meanwhile, are themselves under attack by Japanese politicians in Hawai‘i. Because these women dared to speak publicly against continued Japanese control over Hawaiian lands, resources, representation, and sovereignty, they have been isolated and severely criticized by the Japanese community. Even members of their families have carried out harsh retribution against them.

Such retribution points up the need for larger and larger groups of critical-thinking Asians to support a form of Hawaiian sovereignty created by Hawaiians, rather than the state or federal governments or non-Hawaiians. Truly supportive Asians must publicly ally themselves with our position of Native control over the sovereignty process. Simultaneously, these allies must also criticize Asian attempts to undermine sovereignty leaders. Until young



At the federal trials of Hawaiian "trespassers" on Kaho'olawe Island, Hawaiians used symbols of our Native past to illustrate opposition to American colonization. The gourd helmet took on a new meaning in this context as a sign of resistance and pride.

Photograph by Ed Greevy

Japanese leaders, such as Nunokawa, are willing to stand publicly with Hawaiian leaders such as Mililani Trask and her Japanese female supporters in Local Japanese Women for Justice, the anti-sovereignty, anti-Hawaiian effect of groups like the JACL will continue to grow.

While settler organizations like the JACL continue to stir up hatred against Native leaders, the real issue of justice for Hawai-

ians is intentionally obscured. As enunciated in the Ka Lāhui Master Plan, this justice would mean a "federally-recognized" Native Hawaiian land base and government that would establish a nation-to-nation relationship with the American government as is the case today with nearly 500 American Indian nations. Such a relationship would mean plenary powers for the Hawaiian nation over its territories. At present, these territories are controlled by the State and Federal governments which regulate public use.

Once Hawaiians reclaim these lands, public and private relationships between Natives and non-Natives will be altered. For example, settlers will have to pay taxes or user fees to swim at Native-owned beaches, enjoy recreation at Native-owned parks, drive on Native-owned roads, fly out of Native-owned airports, educate their children at public schools on Native-owned lands, and on, and on. Above all, non-Natives will have to live alongside a Native political system that has statutory authority to exclude, tax, or otherwise regulate the presence of non-Natives on Native lands. The potential shift here frightens non-Natives because it signals the political and economic ascendancy of Natives. At the least, Native power means no more free access by non-Natives to Native resources.

Indigenous Peoples and Minorities in International Law

The growing tensions between Asians and Hawaiians in Hawai'i have a corollary in the development of indigenous peoples' human rights in international law. In Article 1 of the United Nations Charter, peaceful relations between nations are seen to depend upon the principles of equal rights and self-determination of peoples. The question that has occupied the Working Group on Indigenous Populations (first convened in 1982 at the United Nations in Geneva) has been the definition of indigenous peoples and the elaboration of their rights. The primary document here is the Draft Declaration on the Rights of Indigenous Peoples. A product of twenty years' work by indigenous peoples themselves as well as human rights lawyers and jurists, the Draft Declaration is the most complete international document on the rights of indigenous peoples.

The Declaration was preceded by two major studies conducted by the Sub-Commission on the Prevention of Discrimination and Protection of Minorities by U.N. Rapporteurs Espiell (1974) and Deschenes (1985), as part of the broad concern regard-

ing the definition and therefore rights of both minorities and indigenous peoples.¹⁸

In Hector Gros Espiell's study "peoples" were to be considered as, and treated as, categorically different from "minorities." He based his distinctions on U.N. language regarding rights to self-determination and de-colonization. He concluded that, under international law, self-determination is a right of peoples and not minorities. The critical link for Espiell was the presence of colonial and alien domination. In addition to being a principle of international law, then, self-determination is a right of "peoples" under colonial domination.

In 1985, a Canadian, Justice Jules Deschenes, submitted a report on minorities to the Sub-Commission. His discussion of "minority" clarified the relationship between a minority and a majority as critical. He defined "minority" as:

A group of citizens of a State, constituting a numerical minority and in a non-dominant position in that State, endowed with ethnic, religious or linguistic characteristics which differ from those of the majority of the population, having a sense of solidarity with one another, motivated, if only implicitly, by a collective will to survive and whose aim is to achieve equality with the majority in fact and in law.¹⁹

At the same time Deschenes was conducting his study another Rapporteur, Martinez Cobo, was undertaking a project on indigenous peoples for the Sub-Commission. His definition of indigenous peoples aided in the clarification of exact differences between minorities and indigenous peoples:

Indigenous communities, peoples and nations are those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing on those territories, or part of them. They form at present non-dominant sectors of society and are determined to preserve, develop, and transmit to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions, and legal system.²⁰

In Rapporteur Martinez Cobo's final report, the identification of indigenous peoples received a great deal of clarification. For example, Cobo argued that indigenous peoples must be recognized according to their own conceptions of themselves. No

attempt should be accepted which defines indigenous peoples through the values of foreign societies or the dominant sections of societies. Artificial, arbitrary, or manipulatory definitions, Cobo argued, must be rejected by indigenous peoples and the international human rights community. Finally, Cobo emphasized that the special position of indigenous peoples within the society of nation-states existing today derives from their rights to be different and to be considered as different.

Part of that difference inheres in the *critical identification of historical continuity*. Cobo listed several kinds of historical continuity into the present, including the following:

- a) Occupation of ancestral lands;
- b) Common ancestry with original occupants of these lands;
- c) Culture, in general, including dress, religion, means of livelihood, forms of association, membership in traditional communities;
- d) Language.²¹

Finally, Professor Erica-Irene Daes, the Chairperson-Rapporteur of the Working Group on Indigenous Populations, has written that "acknowledging the significance of 'territory' may be necessary to address another major logical and conceptual problem: differentiating 'indigenous peoples' and 'minorities.' A strict distinction must be made between 'indigenous peoples' rights' and 'minority' rights. Indigenous peoples are indeed peoples and not minorities."²²

This is a primary distinction because, under international law, "minorities" do not have the right to self-determination.

The rights of indigenous peoples have also concerned governments whose countries contain a large percentage of indigenous peoples, such as Greenland. In 1991, the Parliament of Greenland argued for a clear distinction between the rights of minorities and the rights of indigenous peoples.

. . . the world's indigenous peoples have fundamental human rights of a collective and individual nature. Indigenous peoples are not, and do not consider themselves, minorities. The rights of indigenous peoples are derived from their own history, culture, traditions, laws and special relationship to their lands, resources and environment.²³

Finally, Justice Deschenes referred to his country's distinctions between indigenous peoples and minorities in the Constitution Act of Canada, arguing that the United Nations should take

guidance from Canada's example and define indigenous peoples and minorities separately.

Specific aspects of the Draft Declaration bear directly upon the differences between indigenous peoples and minority populations. Indigenous peoples are defined by pre-contact, aboriginal occupation of traditional lands. They are not minorities, no matter their number. In other words, the numbers of indigenous peoples do not constitute a criterion in their definition.

While the Declaration covers many areas of concern, certain rights are critical to the distinction that must be made between Natives and minorities. In Article 3 of the Draft, indigenous peoples have the right of self-determination (which minorities do not), and by virtue of that right indigenous peoples can determine their political status.

Political self-determination is tied to land rights and restitution. The doctrine of discovery by which the Americas, the Pacific, and so many other parts of the world were allegedly "discovered" is repudiated. The companion doctrine of "*terra nullius*" is identified as legally unacceptable. Thus, aboriginal peoples have a position from which to argue that traditional lands should be restored to them. In Article 26, indigenous

peoples have the right to own, develop, control and use the lands and territories. . . they have traditionally owned. . . . This includes the right to the full recognition of their laws, traditions, and customs, land-tenure systems and institutions for the development and management of resources, and the right to effective measures by States to prevent any interference with, alienation of, or encroachment upon these rights.²⁴

In Part VII, Article 31, the Declaration states:

Indigenous peoples, as a specific form of exercising their right to self-determination, have the right to autonomy or self-government.²⁵

Interestingly, these rights are considered in Part IX, Article 42, to "constitute the minimum standards for the survival, dignity, and well-being of the indigenous peoples of the world."²⁶

The Draft Declaration is a document still in formation. As the world's indigenous peoples make their expensive and arduous trek to Geneva each summer when the Working Group on Indigenous Populations convenes, the struggle for recognition and protection of the claims of Native peoples is strengthened. Whole

lifetimes are expended on the process of attempting to move the existing powers of the world to acknowledge and protect indigenous peoples. This process has changed the consciousness of indigenous peoples all over the globe, including Hawai'i. Indigenous peoples can now cite the U.N. Draft Declaration on Indigenous Human Rights in the struggle for protection of their lands, languages, resources, and most critically, their continuity as peoples.

On the ideological front, documents like the Draft Declaration are used to transform and clarify public discussion and agitation. Legal terms of reference, indigenous human rights concepts in international usage, and the political linkage of the non-self-governing status of the Hawaiian nation with other non-self-governing indigenous nations move Hawaiians into a world arena where Native peoples are primary, and dominant states are secondary, to the discussion.

Ka Lāhui Hawai'i

On the international stage, the vehicle which has represented Hawaiians most effectively is Ka Lāhui Hawai'i. Because it is the frontline organization of Hawaiian sovereignty, Ka Lāhui Hawai'i serves as the indigenous party representing Native, as opposed to settler, interests. Through its Master Plan, Ka Lāhui Hawai'i has given concrete policy shape to Native political aspirations. Mental de-colonization has led to a first stage of political de-colonization. Countering settler American ideology, the Plan depends for much of its argument on Native cultural understanding of Hawaiian history, politics, and economics. Like other embodiments of nationhood, the Ka Lāhui Master Plan is both an enunciation of principles and an agenda for political action.²⁷

Relying, in part, on international legal standards, the Master Plan endorses the rights and principles contained in four major international documents. These are the Charter of the United Nations, the International Covenant on Civil and Political Rights, the International Covenant on Social, Economic, and Cultural Rights, and the Draft Declaration on the Rights of Indigenous Peoples at the United Nations. Specifically, the rights to self-determination and to self-development are cited in the Master Plan as critical to Hawaiian sovereignty.

In terms of policies regarding the United States, the Plan rejects the current status of Hawaiians as wards of the State of Hawai'i, pointing out that wardship is usurpation of Hawaiian

collective rights to land and political power, as well as a violation of Native human and civil rights. Moreover, wardship classifies Hawaiians with children and the incompetent, revealing the racist intent of the classification.

Critically, the Plan rejects American nationality by asserting that self-determination means jurisdiction over lands and territories, and internal and external relationships, including the following: the power to determine membership; police powers; the power to administer justice; the power to exclude persons from National Territory; the power to charter businesses; the power of sovereign immunity; the power to regulate trade and enter into trade agreements; the power to tax; and the power to legislate and regulate all activities on its land base, including natural resources and water management activities and economic enterprises.

The current policy of state wardship for Hawaiians whereby the State controls Hawaiian lands and waters is repudiated. Given that the State of Hawai'i has maintained a policy of non-recognition of the indigenous peoples of Hawai'i and has consistently acted as the Native representative despite an extensive record of State neglect and mismanagement of the Native trusts, the Ka Lāhui Master Plan calls for termination of this policy.

Citing the 1993 Apology Bill passed by the U.S. Congress, the Plan notes the Apology acknowledges that "the indigenous Hawaiian people have never directly relinquished their inherent sovereignty as a people or over their national lands to the United States, either through their monarchy or through a plebiscite or referendum."²⁸

Therefore, the goals of Ka Lāhui Hawai'i are simple: final resolution of the historic claims of the Hawaiian people relating to the overthrow, State and Federal misuse of Native trust lands (totaling some two million acres) and resources, and violations of human and civil rights. Resolution of claims will be followed by self-determination for Hawaiians; Federal recognition of Ka Lāhui Hawai'i as the Hawaiian Nation; restoration of traditional lands, natural resources, and energy resources to the Ka Lāhui National Land Trust.

The burden rests with the United States and the State of Hawai'i to inventory and restore the lands of the Native trusts, both Federally and State-held, and to remedy all Federal and State breaches of the trust relating to these assets. The Federal and State governments must segregate the trust lands from other public and private lands. The United States must allocate not less than two million

acres of land (that is, all the ceded lands) drawn from State-controlled and Federally-controlled lands to the National Land Trust.

In the area of the National Land Trust, Ka Lāhui identifies the land and natural resource entitlements of indigenous Hawaiians within the entire archipelago. These entitlements include State-held trust lands, that is, Hawaiian homes lands and ceded lands; marine resources and fisheries; surface and ground water rights, and submerged lands; lands and natural resources under the Federal Government; energy resources such as ocean thermal and geothermal sources; minerals, airspace and the trust assets of the private trusts.

Although the Master Plan has many other specific areas relating to various concerns, such as the private Hawaiian trusts, the Plan also delineates an international relationship. Citing Chapter XI, Article 73, of the United Nations Charter, the Plan notes that the United States, as Hawai'i's "administering agent" accepted as a "sacred trust" the obligation "to assist the inhabitants of the territory of Hawai'i in the progressive development of their free political institutions."²⁹

In 1953, the Fourth Committee of the U.N. General Assembly passed Resolution 742 requiring that the inhabitants of territories be given several choices in achieving self-government. These choices include: free association, commonwealth, integration (statehood), and independence, or "other separate systems of self-government."

The United States never allowed de-colonization in Hawai'i under the United Nations process, nor did it allow the inhabitants of the territory their right to choose options identified in Resolution 742. The plebiscite in 1959 allowed only one choice—Statehood—other than Territorial status. By not including other choices, the United States violated international human rights law as well as the human rights of Hawaiians.

Given that Hawai'i was removed at the request of the United States from the United Nations list of Non-Self-Governing Territories in 1959, the position of Ka Lāhui Hawai'i is re-inscription of Hawai'i on that list, thereby recognizing Hawaiians as still eligible for self-determination. In the meanwhile, Ka Lāhui has chosen to develop a culturally appropriate "separate system of self-government," which incorporates Hawaiian values and traditions. As part of this assertion, Ka Lāhui has called for segregation of Hawaiian trust lands and assets from the State of Hawai'i. Additionally, a record of extensive civil and human rights abuses of Hawai-

ians by the state and federal governments must be established and strenuous advocacy of Hawaiian rights and claims must proceed.³⁰

Natives and “Locals”

Apart from its embodiment of Native aspirations, the Ka Lāhui Hawai‘i Master Plan can be read as a perfect illustration of the distance between Natives and “locals” in Hawai‘i. The issues before Hawaiians are those of indigenous land, cultural rights, and survival as a people. In contrast, the issues before “locals” have merely to do with finding a comfortable fit in Hawai‘i that guarantees a rising income, upward mobility, and the general accoutrements of a middle-class “American” way of life. Above all, “locals” don’t want any reminder of their daily benefit from the subjugation of Hawaiians. For them, history begins with their arrival in Hawai‘i and culminates with the endless re-telling of their allegedly well-deserved rise to power. Simply said, “locals” want to be “Americans.”

But national identification as “American” is national identification as a colonizer, someone who benefits from stolen Native lands and the genocide so well-documented against America’s Native peoples. Here, “identity” is not, as often asserted in Hawai‘i, a problem for Hawaiians. It is, rather, a problem for non-Natives, including Asians. We are engaged in de-colonizing our status as wards of the state and federal governments and struggling for a land base.

Asians and *haole* have been thrown into a cauldron of defensive actions by our nationalist struggle. Either they must justify their continued benefit from Hawaiian subjugation, thus serving as support for that subjugation, or they must repudiate American hegemony and work with the Hawaiian nationalist movement. In plain language, serious and thoughtful individuals, whether *haole* or Asian, must choose to support a form of Hawaiian self-determination created by Hawaiians.

The position of “ally” is certainly engaged in by many non-Natives all over the world. Support organizations, like the Unrecognized Nations and Peoples Organization, for example, work on a global level to give voice to Native peoples at international forums, and even in their home countries. A few groups in Hawai‘i primarily comprised of non-Natives (e.g., Local Japanese Women for Justice) serve the same function.

But the most critical need for non-Native allies is in the arena of support for Hawaiian self-determination. Defending Hawaiian sovereignty initiatives is only beneficial when non-Natives

play the roles assigned to them by Natives. Put another way, nationalists always need support, but they must be the determining voice in the substance of that support and how, and under what circumstances, it applies.

Of course, Hawaiians, like most colonized peoples, have a national bourgeoisie, that is, a class that ascends due to collaboration with the state and federal governments. This class serves to counter indigenous nationalist positions. Often, potentially "supportive" locals complain about the confusion surrounding the many sovereignty positions. But the easiest and most defensible position is the one which follows the Ka Lāhui Master Plan. No matter the future leadership of Ka Lāhui, the Plan will remain as the clearest document of this period in Hawaiian history. Non-Natives who support the Plan are, in effect, supporting all the struggles of indigenous peoples which created the Draft Declaration at the United Nations.

Finally, it must be recalled that history does not begin with the present nor does its terrible legacy disappear with the arrival of a new consciousness. Non-Natives need to examine and re-examine their many and continuing benefits from Hawaiian dispossession. Those benefits do not end when non-Natives begin supporting Hawaiians, just as our dispossession as Natives does not end when we become active nationalists. Equations of Native exploitation and of settler benefit continue. For non-Natives, the question that needs to be answered every day is simply the one posed in the old union song, "which side are you on?"

● Glossary

<i>ali'i</i>	chief
<i>haole</i>	originally all foreigners, now only white people
<i>hālau hula</i>	<i>hula</i> is the traditional dance of the Hawaiian people; <i>hālau hula</i> are dance academies that are currently enjoying a revival
<i>lāhui</i>	people, race, nation
<i>taro</i>	starchy tuber that is the staple of the Hawaiian diet; metaphorically, <i>taro</i> is the parent of the Hawaiian people

Notes

1. Frantz Fanon, *The Wretched of the Earth* (New York: Grove Press, 1968), 44.
2. Sharon Helen Venne, *Our Elders Understand Our Rights: Evolving International Law Regarding Indigenous Rights* (Penticton, British Columbia: Theytus Books, Ltd., 1998), 82 and 77.

3. S.J. Res. 19, (U.S. Public Law 103-150), 103d Congress, 1st Session, 107 Stat. 1510 (November 23, 1993).
4. See U.S. President Grover Cleveland's message to the U.S. Congress in the "The President's Message Relating to the Hawaiian Islands," December 18, 1893," *House Ex. Doc. No. 47, 53rd Congress, Second Session, 1893*, 445-458; called the Blount Report.
5. See Daniel K. Inouye, *Journey to Washington* (Englewood, New Jersey: Prentice-Hall, Inc., 1967); George R. Ariyoshi, *With Obligation to All* (Honolulu: Ariyoshi Foundation, 1997); Ronald Takaki, *Pau Hana: Plantation Life and Labor in Hawaii, 1835-1920* (Honolulu: University of Hawaii Press, 1983) and *Strangers From a Different Shore: A History of Asian Americans* (New York: Penguin Books, 1989). Also see various materials published to commemorate 100 years of Japanese settlement in Hawai'i: Roland Kotani, *The Japanese in Hawaii: A Century of Struggle* (Honolulu: Hawaii Hochi Ltd., 1985); Franklin Odo and Kazuko Sinoto, *A Pictorial History of the Japanese in Hawaii, 1885-1924* (Honolulu: Bishop Museum Press, 1985); Dennis Ogawa and Glen Grant, *To a Land Called Tengoku: One Hundred Years of the Japanese in Hawaii* (Honolulu: Mutual Publishing of Honolulu, 1985).
6. For a detailed investigation of Chinese and Japanese political ascendancy as a class in post-Statehood Hawai'i, see George Cooper and Gavan Daws, *Land and Power in Hawai'i* (Honolulu: University of Hawai'i Press, 1985).
7. For statistics on Hawaiian population, housing, land, education, health, prisons, and employment, see Office of Hawaiian Affairs, *Native Hawaiian Data Book, 1998* (Honolulu: Office of Hawaiian Affairs, Planning and Research Office, 1998).
8. Candace Fujikane, "Between Nationalism: Hawai'i's Local Nation and Its Troubled Racial Paradise," *Critical Mass: A Journal of Asian American Cultural Criticism* 1:2 (1994), 23-57.
9. For an early discussion of the term "local," see Eric Yamamoto, "The Significance of Local," in *Social Process in Hawai'i* 27 (1979), 101-115. For later discussions, see Jonathan Okamura, "Aloha Kanaka me ke Aloha 'Aina: Local Culture and Society in Hawai'i," *Amerasia* 7:2 (1980); Eric Chock, "The Neocolonialization of Bamboo Ridge: Repositioning *Bamboo Ridge* and Local Literature in the 1990s," *Bamboo Ridge* 69 (1996), 11-25. Fujikane now appears to have some doubts about her earlier assertion of a "local nation." See "Reimagining Development and the Local in Lois-Ann Yamanaka's *Saturday Night at the Pahala Theater*," *Social Process in Hawai'i* 38 (1997), 40-62.
10. Japanese American Citizens League Resolution, "Reaffirming Support for the Restoration of Human, Civil, Property and Sovereign Rights of Hawai'i's Indigenous People," adopted at the 1992 JAACL National Convention.
11. For the initial news coverage, see *Honolulu Advertiser*, November 10-13, 1999. In a 1989 interview with Mike Tokunaga, Democratic Party insider from the 1950s, Tokunaga recalled a 1959 story where Jack

Burns identified Inouye as the "one-armed bandit." Center for Oral History, "Oral History Interview with Mike Tokunaga by Larry Meacham and Daniel W. Tuttle on September 12, 1989" in *Hawai'i Political History Documentation Project, Vol. III* (Honolulu: Center for Oral History, University of Hawai'i at Mānoa, 1996), 1233. In the *Advertiser* story of November 11, 1999, Inouye's Japanese war comrades said they never used the term "one-armed bandit" to describe Inouye. In fact, as pointed out by Richard Borreca in a *Star-Bulletin* column on November 17, 1999, the nickname was used by John Burns when Inouye was first running for the U.S. Senate. Borreca claims that Burns used the term "jokingly" when asking why Inouye was planning to run for the Senate rather than the House of Representatives. The source for Borreca's article was Tokunaga's oral history.

In truth, the oral history reveals that Burns was angry at Inouye because the Party plan was for Inouye to run for the House. Why Burns could call Inouye "the one-armed bandit" without assault by the press is explained by the simple observation that critics of the Democratic Party, in this case, one Mililani Trask, are dangerous to continued Japanese control of the Party, and most critically, dangerous to the monumental power that the Democratic Party and the state apparatus wield over Hawaiian resources.

Trask's use of the "one-armed bandit" phrase was a false issue. The real issue was and remains Inouye's control over the sovereignty process. In this instance, the issue was lost amidst the well-orchestrated attack on Trask. In fact, the *Advertiser* story and vicious cartoon were perfectly timed to appear before, during, and immediately after Veterans' Day.

In a paid advertisement (titled, appropriately, "Inouye's Legacy to Hawaiians") printed in the 17:2 (February 2000) issue of the OHA newspaper, *Ka Wai Ola*, Trask detailed the *Advertiser* campaign to disparage her and to prevent the airing of critical issues regarding Inouye's interference in the sovereignty process. Needless to say, her side of the story was never printed in the two Honolulu dailies. Significantly, the issue of Inouye's interference in the sovereignty process which Trask had severely criticized, never saw the light of day.

12. Dick Adair, Cartoon, *Honolulu Advertiser*, November 12, 1999, A:12.
13. "OHA Trustee Won't Back Down," *Honolulu Advertiser*, November 11, 1999, A:1; Mililani Trask, "Inouye's Legacy to Hawaiians," *Ka Wai Ola O OHA* 17:2 (February 2000), 20-21.
14. Clayton C. Ikei, representing the JAACL. See November 22, 1999 letter to Mililani Trask and the media, reprinted in the local Japanese American community newspaper. Clayton C. Ikei, "JAACL Opposes Trask's Comments to Inouye," *Hawai'i Herald*, December 3, 1999, A-7 and Pat Omandam, "AJA Group Asks Trask Not to Be Ethnically Divisive," *Honolulu Star-Bulletin*, November 25, 1999, A:3.
15. Ida Yoshinaga and Eiko Kosasa, Local Japanese Women for Justice, "Local Japanese Should Understand Inouye's Real Agenda," *Honolulu Advertiser*, February 6, 2000, Focus Section:1 and reprinted as

- "Understanding Inouye's Real Agenda," *Hawai'i Herald*, March 3, 2000, A-4.
16. Bill Hoshijo and David Forman, Japanese American Citizens League, "JACL Fights Against Racism, No Matter Where It Comes From," *Honolulu Advertiser*, February 27, 2000, Focus Section:1 and reprinted as "JACL Speaks Out to Clear the Record," *Hawai'i Herald*, March 3, 2000, A-4.
 17. See Eric Yamamoto, "Rethinking Alliances: Agency, Responsibility and Interracial Justice," *UCLA Asian Pacific American Law Journal* 3:33, 33-74. Yamamoto discusses the participation of Hawai'i-based Asian American churches in the public apology by the United Church of Christ (U.C.C.) made to Hawaiians concerning the participation of the churches in the 1893 overthrow of the Hawaiian monarchy. The apology was made by Paul Sherry, President of the United Church of Christ, before some 15,000 people on the centenary of the overthrow at the Palace of our Chiefs, on January 17, 1993. In discussions with Hawaiian leaders preceding the apology, Paul Sherry responded to my criticism that such apologies were useless to the Hawaiian people. I suggested the U.C.C. return some of the lands the churches controlled in Hawai'i in lieu of an apology. Sherry responded that I was criticizing the church for attempting to receive what he called "cheap grace," an easy forgiveness achieved for very little. Given that reparation monies (totaling over a million dollars) from the church hierarchy went to Hawai'i churches rather than to Native Hawaiians, my conclusions were that while the U.C.C. attained their "cheap grace," we Hawaiians, as usual, received nothing. Also see Eric Yamamoto, *Interracial Justice: Conflict and Reconciliation in Post-Civil Rights America* (New York: New York University Press, 1999).
 18. See the discussion of these two studies in Venne, *Our Elders Understand Our Rights: Evolving International Law Regarding Indigenous Rights*, 77-83.
 19. *Ibid.*, 80.
 20. *Ibid.*, 80.
 21. *Ibid.*, 88.
 22. *Ibid.*, 146.
 23. *Ibid.*, 82.
 24. *Ibid.*, 212.
 25. *Ibid.*, 213.
 26. *Ibid.*, 215.
 27. Ka Lāhui Hawai'i, *Ho'okupu a Ka Lāhui Hawai'i: The Master Plan*, 1995 (Honolulu: Ka Lāhui Hawai'i, 1995).
 28. U.S. Public Law, 103rd Congress.
 29. *The Master Plan*, 5.
 30. *Ibid.*, 6-8.

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Kia'aina Mililani Trask leading the January 17, 1993 sovereignty march to 'Iolani Palace.

Photo by Ed Greevy